

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ALAN GOLDMAN

Plaintiff

V

McCONNELL VALDÉS, LLC;
ANTONIO A. ARIAS-LARCADA, ET AL

Defendants

* CIVIL NO.: 24CV01136
*
*
*
*
*
*
*
*
*

PLAINTIFF'S MOTION REQUESTING SANCTIONS

TO THE HONORABLE COURT:

COMES NOW, Plaintiff, Alan Goldman, through his undersigned counsel and respectfully States and Prays as follows:

1. It is respectfully brought to this Honorable Court's attention that defendants' counsel of record, Mr. Manuel San Juan has either not been candid with the Court or has made several false statements and false representations to the Court.
2. Attorney Mr. San Juan must understand that his clients, defendants, Arias and McConnell either drafted or assisted in drafting Mr. Goldman's "Responses and Objections to Plaintiff's First Set of Interrogatories" dated November 12th, 2021, in which the following statements were made under penalty of perjury under 28 U.S.C. 1716: "Mr. Goldman found in 2019 that he was having cognitive changes ... He began working with Dr. Waheeds office a neurosurgeon ... to evaluate his cognitive decline or impairment ... In October of 2020 Mr. Goldman did not do well with a cognitive test ... and was told he has a strong chance ... early onset dementia... with

short term memory and confusion when stressed or late in the day when he is tired and heavily medicated... *The diagnosis was devastating... Mr. Goldman is now a T-4 cancer survivor ... and Mr. Goldman's state of mind and medical conditions which prevented him from going to Puerto Rico ...* Please See: Exhibit A, Defendant's Responses and Objections to Plaintiff's First Set of Interrogatories, pages 3 and 6.

3. On September 16, 2024, defendants' counsel, Mr. San Juan was provided with thirty-nine (39) email transmissions by and between Mr. Goldman and Mr. Arias and McConnell Valdes LLC, attesting to the fact that Mr. Goldman was suffering from very serious health conditions that impeded him from traveling to Puerto Rico.
4. In an email transmission dated 3/22/2021, Mr. Arias wrote to Mr. Goldman: "Your personal, emotional and physical condition will be pivotal to support the opposition brief ..." Please See: Exhibit B.
5. In an email transmission dated 6/1/2021, Mr. Arias wrote to Mr. Goldman: "I went through the medical issues with Mr. Goldman, his state of mind, *his inability to be in Puerto Rico due to medical issues...*" Please See: Exhibit C.
6. In an email transmission dated 4/8/2022, Mr. Arias wrote to Mr. Goldman: "*Since you cannot travel, I recommend that I travel to Vermont to prep you and sit at your side to defend the deposition...*" Please See: Exhibit D.
7. Since at least September 16, 2024, defendants' counsel, Mr. Manuel San-Juan has been in actual possession of numerous electronic mail correspondences authored and transmitted by his clients, defendants Arias and McConnell wherein said clients made explicit, affirmative representations concerning Plaintiff Goldman's medically and/or

circumstantially constrained inability to engage in travel. Notably, in a written electronic communication dated April 8th, 2022, defendant Arias unequivocally states: "Since you cannot travel, I recommend that I travel to Vermont...", this constituting his direct admission and evidentiary acknowledgment of Plaintiff, Goldman's impaired mobility and the necessity of accommodation thereof.

8. Said correspondence, and others of similar tenor, were contemporaneously disclosed to and have remained readily available for review by defendants' counsel, Mr. San Juan, who cannot now feign ignorance of these material admissions by his own clients.

WHEREFORE, Plaintiff, Alan Goldman respectfully requests from this Court to take notice of this motion seeking the imposition of sanctions against defendants' counsel Mr. San Juan, and to grant such further remedy as this Court may deem to be just and proper.

RESPECTFULLY SUBMITTED.

In Miami, Florida, on the 15th day of April 2025.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of April 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all the counsel of record.

s/Francisco M. López-Romo
FRANCISCO M. LOPEZ-ROMO
USDC-PR NO. 118314

PO Box 331823
Coconut Grove, Florida 33233
Telephone: 305-772-5577
Email: lopezromo@gmail.com